


Notice of Allowability	Application No.	Applicant(s)	
	10/765,755	PENDERGRASS, ISAAC 	
	Examiner	Art Unit	
	Paul Ip	2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on July 05, 2005.
2. ☒ The allowed claim(s) is/are 1,4-10,12-15 and 17-19.
3. ☒ The drawings filed on 26 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |


Paul Ip
Primary Examiner
AU 2837

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jeff D. Limon on 8/09/2005.

The application has been amended as follows:

In claim 1 line 5, delete "an electronic device opening the media door" and insert -- a latching and timing device controlling the opening state of the media door --; and

line 11, delete "electronic" and insert -- latching and timing --.

In claim 6 line 5, delete "electronic" and insert -- latching and timing --.

In claim 7 line 1, delete "electronic" and insert -- latching and timing --.

In claim 8 line 1, delete "electronic" and insert -- latching and timing --.

In claim 9 line 4, delete "logic" and insert -- latching and timing --;

line 6, delete "logic" and insert -- latching and timing --; and

line 9, delete "logic" and insert -- latching and timing --.

In claim 14 between lines 5 and 6, insert -- receiving a first latching and timing signal --; and between lines 9 and 10, insert -- receiving a second latching and timing signal --.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

Claims 1, 4-10, 12-15, and 17-19 have been carefully considered in view of the specification and the drawings of the invention. The claimed invention is directed into the subject matter of a media door controlling device and a method for controlling the opening and closing of media doors in responding to the gesture or movement of user's hand. The claimed invention is shown in figures 1, 2, and 3 of the invention. Sensors 10 and 15 sense the user's hand signal. Figures 1 and 2 show the latch circuits 40 and 45 for latching the sensed signals from the sensors 10 and 15. Figures 1 and 3 show timers 70 and 75 for providing timing signals in responding to the latching signals. Amended claims 1, 9, and 14 include the limitation of "a latching and timing device", "a latching and timing module", and "a first/second latching and timing signal" respectively. Given the meaning of these limitations with respect to the interpretation of the disclosure of the specification and drawings, the references of the record fail to teach or suggest the latching and timing circuit/module/signal as recited in the claims. In particular, the patent publication to Jochi et al (2004/0227625) fails to teach or suggest the limitation of the "latching and timing circuit/module/signal" as recited in the claims of the invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

COMMUNICATION INFORMATION

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Ip whose telephone number is (571)-272-1941.

The examiner can normally be reached on Monday to Friday from 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571)-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul Ip
Primary Examiner
Art Unit 2837

8/10/2005